

10/593465

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q96905

Hitoshi AOKI, et al.

Appln. No.: National Stage Entry of PCT/JP2005/004564

Confirmation No.: Unknown

Group Art Unit: Unknown

Filed: September 19, 2006

Examiner: Unknown

For: INHIBITOR OF BLOOD GLUCOSE LEVEL ELEVATION AND INHIBITOR OF AGE
GENERATION COMPRISING ACEROLA LEAF EXTRACT AND FOOD PRODUCT
COMPRISING EITHER THEREOF

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action

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INFORMATION DISCLOSURE STATEMENT

U.S. Appln. No.: Unknown

National Stage Entry of PCT/JP2005/004564

on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents, together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

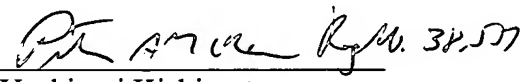
Respectfully submitted,

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WASHINGTON OFFICE

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CUSTOMER NUMBER


for Yoshinari Kishimoto
Registration No. 47,327

Date: September 19, 2006

Substitute for Form 1449 A & B/PTO <u>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</u> (use as many sheets as necessary)				Complete if Known	
				Application Number	10/393465
				Confirmation Number	Unknown
				Filing Date	September 19, 2006
				First Named Inventor	Hitoshi AOKI
				Art Unit	Unknown
				Examiner Name	Unknown
Sheet	1	of	2	Attorney Docket Number	Q96905

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US 4806365	A	02-21-1989	Todomu NAKASHIMA
		US			

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		WO	2005/44290	A1	05-19-2005	Nichirei Corp	
		JP	2005-82509	A	03-31-2005	Nichirei Corp	
		JP	2003-508415	A	03-04-2003	Michigan State University	
		JP	4-99730	A	03-31-1992	San-Ei Gen F.F.I., Inc.	

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶	
		Saburo ITO et al., “Acerola Kajitsu no Sanchi Jukudobetsu Vitamin C Ganryo no Hikaku oyobi sono Anteisei”, Nihon Shokuhin Kogyo Gakkaishi, 1990, Vol. 37, No. 9, pages 726 to 729, table 3		
		“Gendairyu Sukoyaka Seikatsujutsu, Kenko Jumyo o Nobasu Ocha”, gendau, net. 16 July, 2003 (16. 07.03) Keisai, Acerola Tea,		
		Ryuji NAGAI et al., “Chaba Chushutsubutsu ni yoru in vivo Maillard Hanno no Yokusei to AGE-ryo no Henka”, The Pharmaceutical Society of Japan Koen Yoshi, 1995, Vol. 115 th , No. Pt3, page 182		
		Takayuki HANAMURA et al., Acerola Kajitsu ni Fukumareru Polyphenol Seibun no Kozo Kaiseki” Nihon Nogei Kagaku Taikai Koen Yoshishu, March 5, 2004, Vol. 2004 th , page 82		
		Kaori YAMAZAKI et al., “Acerola Shushichu no Yuyo Seibun no Tansaki”, The Pharmaceutical Society of Japan Koen Yoshishu, 2003, Vol. 123 rd , No. 2, page 132		
		Hissimoto, Neuza Mariko Aymoto et al., Flavonoid levels in plants and their antioxidant activity, Revista Brasileira de Cien cias Farmaceuticas, 2003, Vol. 39 (suppl. 3), pages 180 to 182, (abstract) CA		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.

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